



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 3, 2022

BY ECF

Hon. Valerie E. Caproni
Thurgood Marshall
United States Courthouse
40 Foley Square, Courtroom 443
New York, NY 10007

**Re: *United States v. Williams, et al.* S3 21 Cr. 603 (VEC)
 United States v. Chavez, S4 21 Cr. 603 (VEC)**

Dear Judge Caproni:

The Government writes pursuant to the Court's order, to provide a status report regarding the Government's production of discovery in this matter.

Since the Government's last status report on May 2, 2022, the Government has made productions to the defendants on May 9, 2022, May 11, 2022, May 25, 2022 and June 3, 2022. The Government has also made an individual production to defendant Washington. Individual productions to defendants Dooling and Wahab will be made next week. As noted in the Government's May 2, 2022 report, the production of legal process, § 2703(d) returns, and subpoena returns from health care providers, to the extent those materials pertain to the defendants, is complete. Details of the materials produced since the Government's May 2, 2022 status update follow.

Search Warrant Returns Containing Cellsite Location Information. The Government's production of prospective cellphone location information for cellphones associated with defendants Wahab, Washington and Dooling is complete. Pen register data for Wahab, Washington and Dooling, which has not otherwise been previously produced, will be produced within approximately two weeks.

Subpoena Returns. The Government has completed its production of materials obtained pursuant to subpoenas, to the extent they pertain to the charged defendants. However, the Government has some subpoenas outstanding and may issue additional subpoenas. The Government will continue to produce any material received pursuant to a subpoena, to the extent it pertains to the defendants, on a rolling basis.

Subpoena Returns from the Plan and Third-party Administrators ("TPAs"). The Government re-reviewed the approximately 22 gigabytes of material obtained from the TPAs by searching those files for the last names of the defendants charged in the third superseding Indictment and certain other co-conspirators. That search returned approximately 7,000

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documents. All of those documents have been reviewed. Approximately half of the responsive materials were produced. The remaining responsive materials are being processed by the Government's document vendor and it is anticipated those materials will be produced to the defendants next week.

Search Warrant Returns from Email Accounts. As explained in the Government's May 2, 2022 letter, the Government obtained search warrants on nine additional email accounts since the initial indictment was unsealed. Seven of those nine email accounts were reviewed for responsive material and the majority of the material identified as responsive has been produced to the defendants. The remaining set of responsive documents from these seven accounts is being processed by the Government's document vendor and/or is being transferred from the FBI to the Government for production. It is anticipated that those documents will be produced next week. With respect to the two remaining email accounts, a filter team completed a privilege screen of the two accounts on May 27. The Government's document vendor is running search terms on the two accounts and a responsiveness review will begin shortly. The Government estimates it will complete the review of these two accounts, and produce any responsive material to the defendants, within the next four weeks.

Search Warrant Returns from Physical Devices. The Government obtained a search warrant on seven electronic devices used or controlled by defendant Aamir Wahab and/or his businesses. Three of these devices are cellphones, and extractions from those three cellphones have been reviewed. With respect to the remaining devices, three of which are computers and one of which is an external hard drive, the review of readable files is complete. Responsive information from the three cellphones and computing devices is being processed by FBI's CART team and will be produced to the defendants next week. However, certain information on the computing devices required the FBI to obtain software from a third-party to convert the data into readable text. That process is underway, and it is not known how long the process will take. The Government has not yet completed its review of an extraction of the cellphone seized from defendant Keyon Dooling on the day of his arrest. It is anticipated that device will be reviewed, and responsive material produced to the defendants, in two to four weeks. As indicated in prior letters to the Court, the Government seized three cellphones from defendant Terrence Williams on the day of his arrest, but FBI's CART technicians were unable to extract anything other than a limited amount of content from two of those phones. However, in early May, CART was able to bypass security features on one of the three cellphones seized from Williams and then extract content data from that cellphone. The Government has not yet completed its review of that cellphone extraction. It is anticipated

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that responsive data from that extraction will be produced to the defendants in the next two to four weeks.¹

Additional Materials. The Government completed production of certain handwritten notes concerning surveillance of the charged defendants and additional reports concerning arrests and surveillance of the newly charged defendants, with the exception of defendant Sophia Chavez.²

To date, the Government has produced a total of approximately 89 gigabytes of uncompressed data (approximately 13,069 files and approximately 587,200 pages) to the defendants. After next week, it is the Government's assessment that the outstanding material will largely consist of two cellphones, certain files on Wahab's computing devices, two email accounts, and any newly acquired subpoena returns. The Government recognizes that the Court will set a motion schedule and trial schedule during the July 7, 2022 conference, and the Government believes it will complete its production of discovery material before that conference. The Government requests that it be permitted to update the Court, and the parties, no later than July 6, 2022, concerning its progress.

The Government is available to address any questions the Court may have.

Respectfully submitted,

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¹ Individual productions will also be made to defendants Williams, Wahab, and Dooling, which contain the complete extractions from the devices associated with each of them. It is anticipated this production will be made next week.

² The Government will provide Chavez's counsel an individual production, and work with the discovery coordinator to ensure that her counsel is provided the previously made global discovery productions once her counsel files a notice of appearance and acknowledges the protective order in this matter.